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ABSTRACT

In Iowa the number of handicapped school students is increasing even as total enrollments decline, probably because slow learners are being reclassified as "mildly handicapped" to make them eligible for special education funds and programs. As a result there may soon be more handicapped students than the state can afford. To avoid this, it is proposed that primary responsibility for mildly handicapped programs be given to regular school administrators, instead of to special education directors and staff, and that the continued identification of slow learners as mildly handicapped be discouraged. Present due process requirements in federal and state laws governing the identification of handicapped students are far too costly. The labeling process is expensive and time-consuming. Local school administrators should have more autonomy in identifying mildly handicapped students, and some rules for identifying the mildly handicapped should be relaxed, as the Illinois State Board of Education is considering doing. Responsibility should be gradually shifted to the local education agency (LEA) and the school building administrator for identifying and developing programs for mildly handicapped students. Further, simplified funding programs for the mildly handicapped should be available to LEAs. (Author/RW)

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RESPONSIBILITY FOR THE MILDLY HANDICAPPED: A PROPOSAL FOR CHANGE

Clifford E. Howe
Larry X. Keele

Until this past December's count, the number of identified handicapped children in Iowa continued to rise although regular school enrollments were on the decline. In the judgment of practitioners, these additional handicapped children come largely from that gray area of regular education known as slow learners. Observers, particularly those with fiscal responsibilities, wonder when we will reach saturation. The tightening of learning disability criteria by the state of Iowa as a response to concerns expressed by the legislature is the most current example.

In Iowa, local school districts are funded according to a formula which utilizes student enrollment and per pupil expenditure data. In order to generate additional funds for special education, students who are identified and placed in special programs are "weighted" in the funding formula. For example, if a child is identified as mildly handicapped and is placed in a learning disability (LD) resource room, that child is weighted an additional .7 and is counted as 1.7 students for budget purposes.

For the past several years, mildly handicapped students have accounted for most of the increase in the total number of identified handicapped children in Iowa, as table 1 shows. (The December 1981 decrease in special education is attributable to the revision of state LD criteria and perhaps, to a lesser extent, to declining enrollment. Although there was a rather remarkable drop of almost 8 percent in the past year, it remains to be seen whether the decline will continue.) This mildly handicapped group is served through the so-called 1.7 programs—supplemental assistance, resource teaching programs, and special classes with integration.

Our argument is that as more and more children from regular education are being labeled as mildly handicapped, the primary responsibility for their program—along with an increased control over program financing—should rest with the regular administrator and not with the directors of special education or their staffs. This would tend to conserve fiscal resources in an era of limited funding for all types of education, including special education.

An Alternative Financing System

Although a major purpose of legislation and state regulations as they relate to the handicapped is to provide equal access to education, a corollary intent is to limit numbers of children who qualify. Special education programs cost an average of two to three times that of educating normal children. A state legislature will not provide open-ended funding for the handicapped if the legislation is written or interpreted in such a way that all slow learners in the school can qualify. Finances should not dictate program, but unfortunately they often do. Special education often requires more money to support the instructional program than does regular education. In Iowa, most of the costs of AEA special education services are viewed as augmenting the work of classroom teachers. To the extent that ancillary personnel such as psychologists, social workers, and consultants provide identification and diagnostic information of direct use to instructional staff in programming for children, the use of funds for their services is legitimate and useful. However, if the major function of such identification practices is to label and certify children for additional state and federal funding, then the money could surely be used in a better way.

Table 1
Summary of Iowa Special Education Head Count 1975-81

Year and Count Date	*Special Education Total Head Count of Weighted Students*	*Head Count 1.7 Models*	*% 1.7 is of Total Special Education Head Count*
January 1975	28,259	22,934	81
January 1976	33,139.7	26,478	80
January 1977	36,257	28,968	80
January 1978	30,031.5	30,491	80
January 1979	39,145	31,687	81
September 1979	40,257	33,004	82
September 1980	42,271	34,537	82
December 1980	43,647	35,587	82
December 1981	40,198	32,108	80

Adapted from figures from the Iowa Department of Public Instruction, Division of Special Education, 1981.

A revised system of special education financing would focus on taking the profit out of identifying handicapped children. In the past, many states stimulated program development for the handicapped by providing financial incentives to school districts

and intermediate units. Two circumstances argue against encouragement to identify more children: (1) states such as Iowa seem to be near full service in identifying nearly all of the traditional categories of handicapped children, and (2) the general public appears to want to stop program expansion and its attendant additional costs.

That Iowa is one of the few states with "open-ended" funding is a real credit to the state and its people. They have invested heavily in special education in the past few years. As long as a child meets the criteria set by the state, he or she can be weighted and additional dollars are generated. But this can't continue indefinitely, as the legislature clearly signalled during its last session. Other states often put on a "cap" by either limiting the total dollars available or setting a maximum percentage of the school population which can be certified for funding. California, for example, has just established a limit of 10 percent. We don't find these limits to be undesirable if they are accompanied by increased freedom at the local level to select the children who most need a special education program. It seems that with Public Law 94-142, state law, and precedent-setting court decisions, there is now sufficient legal clout on the side of parents to protect their interests.

The Legal Basis of Special Education

Decency cannot be legislated, but the courts and the law can invoke sanctions with enforced penalties. Because significant numbers of handicapped children were being denied an appropriate public education, Congress passed the Education for All Handicapped Children Act of 1975 (P.L. 94-142) to protect these children's rights. The accompanying regulations included detailed procedures for school personnel to follow. The federal government monitored the states' compliance. This caused a number of states, including Iowa, to make some modifications in their due process procedures so they could qualify for federal aid. The result has been that more and more states have legislation and rules similar to P.L. 94-142.

Although due process procedures are essential in assuring an informed and appropriate placement of a child in a special education program, these procedures also contribute to the expense of the special placement. Many of these expenses are hidden and difficult to isolate as due process expenditures. For example, there are undoubtedly many assessments or evaluations given for purposes of due process, per se, which contribute little information regarding the child. Attendance at a placement staffing may also be greater than necessary because educators feel stress or insecurity in coping with legal ramifications. Due process requirements necessitate additional forms, reports, communications, and record keeping, all of which are time consuming and expensive.

What seems to be happening is that we use the same due process procedure for everyone, regardless of the degree and severity of the handicaps. If local administrators had more autonomy in identifying the mildly handicapped in their buildings, there would be less necessity for the labeling which tends to trigger a whole series of legal procedures that must be followed.

An Argument for Less Labeling

As noted earlier, the major ambiguity in identification seems to rest with those children in the area of the mildly handicapped. Because their abilities overlap to a considerable degree with those of regular children, there can be disagreement about whether or not they qualify for, or will benefit from, special education programming.

With the existent rules it is necessary to make a differential diagnosis for all children in special education programs. Although one might assume that the greater the disability the more difficult the diagnostic process, this does not appear to be the case. It is the marginal child, the one who is functioning at or near the slow learner level and exhibits undesired behaviors, who typically presents the greater problems for a differential diagnosis. The programmatic differences between mildly mentally handicapped, learning disabled, or emotionally disabled children may be minimal, but agreeing upon a diagnosis for mildly handicapped children in these categories can be quite difficult. The selection of diagnostic instruments, the unreliability of infrequent structured observations, the attitudes of parents and teachers, and the availability of classes may all have a greater impact upon the disability label and special class placement for the mildly handicapped than for the more severely handicapped child.

Considerable resources are expended in determining special education eligibility for the mildly handicapped. For example, P.L. 94-142 requires that ". . . each public agency shall take steps to insure that one or both of the parents of the handicapped child are present at each meeting or are afforded the opportunity to participate." This rule further requires that the meeting occur at an agreed upon time and place and that if the school cannot convince the parents to attend, there must be a record of attempts to arrange a meeting. The rules call for ". . . detailed records of telephone calls made and the results of those calls, copies of correspondence sent to parents and any response received, and detailed records of visits made to the parents' home or place of employment and the results of those visits." It is not known if an analysis of costs has ever been made for this small section in the rules, but such an analysis would, no doubt, yield surprising results.

Each public agency is also responsible for initiating and conducting meetings for the purpose of developing, reviewing, and revising a child's individual education program. These meetings must be conducted prior to placement and at least once a year thereafter. Section 121a314 further states that "the public agency shall insure that each meeting includes the following participants: (1) a representative of the public agency other than the child's teacher who is qualified to provide or supervise the provision of special education, (2) the child's teacher, (3) one or both of the child's parents, (4) the child where appropriate, and (5) other individuals at the discretion of the parent or agency." Furthermore, if the handicapped child has been evaluated for the first time, the agency must insure that a member of the evaluation team or some other person knowledgeable about the evaluation procedures used and familiar with the results of the evaluation is present. Typically, the number of individuals participating in a special education placement staffing usually exceeds the required minimums.

P.L. 94-142 and the Iowa Rules of Special Education both indicate that before the initial placement of a handicapped child in a special education program, a full and individual evaluation of the child's needs must be conducted and the child must be assessed in all areas of suspected disability. The Iowa rules specifically state that a comprehensive evaluation must include recent evaluations of vision, hearing, language and speech, intellect, motor functioning, adaptive behavior, social functioning, academic status, health history, and other elements as deemed appropriate by the diagnostic educational team.

A cost analysis of 33 randomly selected referrals revealed Area Education Agency costs of approximately $335 for each child placed in a special program. If the referred child were not placed in a special program, the average cost was approximately $100 less. These estimates do not include any instruction or therapy. It should be emphasized that the local school district also has a significant investment in this process. Depending upon the local district's involvement in educational diagnostics and the number

of its representatives at the placement staffing, its investment may be comparable to that of the Area Education Agency.

In no way are we disputing the desirability of parental involvement, individualized programming, or comprehensive assessments. We do question, however, the need for such time and dollar allocation to determine eligibility for services for most children with mild handicaps. We suggest that for this population some of these rules could be relaxed or modified and that the resources currently used for diagnostics, record keeping, and meetings be reallocated to direct services.

The Illinois State Board of Education and staff are considering the following changes in their special education rules (Sevener, 1981):

1. End the requirement of categorization of handicaps as a means of placing students in special education.
2. Change the process for developing individual education plans so that local administrators have more flexibility.
3. Let local administrators determine class size.
4. Drop the requirement that handicapped children be taught in the least restrictive environment.

In a recent study by the Rand Corporation, Kimbrough and Hill (1981) questioned the impact of federally funded supplemental education programs on disadvantaged elementary school students. They found teachers concerned about students frequently being pulled out of their classes several times a day to attend one or another special program when several such special purpose programs are available in the school and funded by different sources. The report recommends that the federal government can help schools and students by reducing the burden of having to maintain separation of services according to funding source.

More Responsibility and Authority for the Building Administrator

What we are proposing is a gradual shift whereby increased responsibility and authority would rest with the Local Education Agency and building administrator for identifying and programming for the mildly handicapped. Although federal funding for the handicapped as of now is excluded from the block grant approach advocated by the Reagan administration, our suggestions would fit well with that approach. Rather than providing additional funds for the mildly handicapped through the currently used weighting process, the state would increase an LEA's budget by a certain percentage to provide for the mildly handicapped who are now being served in the 1.7 program and other categorical-funded programs. School districts and AEA support personnel would have considerable latitude in identifying and programming for those children who they feel should qualify. Certification as being handicapped would not be necessary. Major functions of AEA support staff might or might not change appreciably from their present functions. What is important is that functions performed would clearly be focused on programming within the school and would not be diluted by a need to qualify children in order to obtain funds. There is some evidence that school psychologists and teachers would prefer a consultant role and would do much less testing if they were not required to do so by administrators (Cook & Patterson, 1977; Landau & Gerken, 1979; Manley & Manley, 1978).

The need for a more collaborative and participatory relationship between special and general education administrators over time was proposed recently by Herda (1980):

> In any case, more power has to be extended to the principal if he or she is to be successful in participatory forms of governance. Personnel in individual buildings in a local education agency reflect needs that in turn require autonomy and a certain amount of independence in order to meet the demanded changes. Principals' obligations have shifted from being solely managerial to providing leadership in coordinating individuals from a myriad of sectors, along with their respective programs. Least restrictive environments can be created more easily if policy decisions are integral to everyday activities coordinated by an administrator who has autonomy and support from the central office to establish the most appropriate overall building level program. (p. 9)

In summary, this might be a good time to:

1. Have special education support what McCleary (1981) has called a reconstruction of the principalship with instructional leadership as a central function. Different schools have different needs and the principal needs the power to develop those programs which best meet the needs of his clients, including the handicapped.
2. Consider reducing the labelling of marginal learners into some category of special education.
3. Provide funding to LEAs in a simplified way for the mildly handicapped.

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